REMARKS

Claims 1-26 were pending in the application. In the Office Action mailed March 23, 2004, claims 1-5, 12-17, and 23 remain rejected as being anticipated by U.S. Patent No. 6,147,687 to Wanderski (herein "Wanderski"), and claims 6-9, 11, 18-21, and 26 remain rejected as obvious over Wanderski. Claims 22, 24, and 25 are rejected as obvious over Wanderski in view of U.S. Patent No. 6,559,871 to Brozowski (hereinafter "Brozowski"). Claim 10 remains rejected as being obvious over Wanderski in view of U.S. Patent No. 6,047,357 to Bannon et al. (herein "Bannon"). By way of this amendment, claims 1, 4, and 18 have been amended and claims 3, 14-17, and 24-26 have been cancelled.

It should be noted that each amendment made herein simply incorporates existing limitations from elsewhere in the claim set, e.g. from dependent claims. Accordingly no new issues are raised by these amendments.

Claims 1, 2, and 5-13

Claim 1 is independent, with each of the remaining identified claims (2 and 5-13) being dependent thereon. Claim 1, as amended, recites the following:

A method for presenting categorized information on a computer-enabled user interface, the method comprising:

displaying one or more categories for the categorized information;
receiving a user selection of a category of the one or more categories;
independently retrieving data associated with the selected category so that the displayed categories remain responsive to user interaction while the data is being retrieved;
receiving a user request for cancellation of the data retrieval; and,
in response to the user request, canceling the data retrieval.

Claim 1 has been amended to specify that the update pursuant to the user selection is cancelable. This limitation was imported from claim 3, now cancelled. Accordingly, the discussion of amended claim 1 will address the rejection of claim 3.[1]

In rejecting this subject matter, the action states at page 3 that Wanderski teaches cancellation since "requests can be viewed as objects in the data structure deleted by the user," citing column 10, lines 4-6 of Wanderski. However, the cited section says only that files and other objects may be deleted, causing an update to the tree view; deletion of a file has nothing to do with cancellation of a request to *update* a *view*. There is no support at all for the action's suggestion to view requests as objects which can be deleted. In fact, there's no indication in Wanderski that the update requests *themselves* are objects or moreover that there is any mechanism for exposing such requests to the user for any action, including cancellation.

With respect to dependent claims 2-13, these claims depend from claim 1, and thus incorporate the limitations of claim 1. It is thus respectfully submitted that claims 2-13 are patentable for the same reasons set forth above with respect to claim 1. Favorable reconsideration of these claims, and withdrawal of the pending rejections, is respectfully requested.

Claim 4

Claim 4, as amended, is independent and incorporates the limitations of claim 1 as well as the additional limitations of the prior version of claim 4. The claim recites the following:

> A method for presenting categorized information on a computer-enabled user interface, the method comprising:
> displaying one or more categories for the categorized information;
> receiving a user selection of a category of the one or more categories wherein the selected category is one of a plurality of categories selected by the user;

---

[1] The remarks from the prior amendment are incorporated herein by reference and will not be repeated in detail.

independently retrieving data associated with the selected category so that the displayed categories remain responsive to user interaction while the data is being retrieved;

receiving a user request to boost the priority of at least one selected category; and,

in response to receiving the user request, boosting the priority of the at least one selected category.

In order to reject this claim, the action states that Wanderski teaches the additional limitations over claim 1 in that "requests can be viewed as objects in the data structure and moved by the user thereby changing their priority." However, this conclusion is pure presumption and leaves unanswered all the critical questions including: (1) why could/would one view "requests ... as objects in the data structure"? (2) even if one did, why could/would one move the objects? (3) even if one did, why would this change the priority of anything, specifically a pending update request? Since the rejection is incomplete and conclusory, applicants respectfully traverse the rejection of claim 4.

Claims 18-23

Claim 18 is independent, with claims 19-23 being dependent thereon. Claim 18, as amended, recites the following:

A computer-implemented method for presenting data, the method comprising:
executing a first thread for displaying a graphical hierarchy having one or more nodes; and,
executing, independently of the first thread, a second thread of execution for retrieving data associated with at least one of the one or more nodes, wherein the second thread retrieves data based on which nodes have been frequently selected by the user.

The present amendment to claim 18 incorporates the limitations of claim 25, herein cancelled. Accordingly, the discussion of claim 18 will reference the rejection of claim 25.

Claim 25 was rejected as obvious over Wanderski in combination with Brozowski. In rejecting this subject matter, the Office Action states that "Brozowski teaches that it is known to use past usage data to predict future selections by the user and to automatically open the nodes that correspond to these predictions (column 15, lines 50-63)." However, Brozowski doesn't say that at all—the cited portion of Brozowski actually refers to preemptively opening child nodes once a parent node is opened ("In anticipation...the present invention may...[load]child objects when the parent object is requested or loaded.")

Thus, the claim recites retrieving data based on the frequency of use, while Brozowski teaches retrieving the data of child nodes, whether frequently used or not, when their parent node is opened. Thus, Brozowski fails to teach an element of the claim that Wanderski also admittedly fails to teach. Accordingly, it is respectfully requested that claim 18 be favorably reconsidered and the rejection thereof withdrawn. Moreover, it is respectfully submitted that claims 19-23, which incorporate directly or indirectly the limitations of claim 1, are also patentable for the same reasons. Accordingly, it is respectfully requested that claims 19-23 be reconsidered and the rejections thereof be withdrawn.

The Combination of References/Teachings

Although it is not believed to be critical because of the distinctions over the art noted above, applicants will briefly discuss the propriety of the asserted combination of references as well as the asserted supplementation of Wanderski with additional teachings from unknown sources.

With respect to claim 6, the action states that official notice is taken that it is well known to use multiple threads, and thus it would be obvious to combine this with Wanderski because it would "allow the user to interact with the data structure while search and retrieval functions are executing asynchronously." However, this statement

essentially says that (1) official notice is taken with respect to a missing element, and then (2) the element is simply combined with the existing art because that would give us the invention. Applicants respectfully (a) traverse the official notice and request a citation, and (b) traverse the stated motivation to combine since it stems from applicants disclosure and not the art. The rejection of claims 18-20 are traversed for the same reasons.

With respect to claim 7, the action admits that Wanderski fails to teach the recited element, but goes on to simply assert, with no support, that the additional element would have been obvious. Applicants respectfully request that some source or teaching be identified for the recited element and that motivation to combine that teaching with those of Wanderski be identified.

Claim 8 recites that "... the worker thread places the retrieved data in a cache, the main thread accesses the data from the cache and displays the data." With respect to this claim, the action admits that Wanderski fails to teach this limitation. However the action then states that (a) knowledge of the existence of caches is assumed under official notice, and (b) therefore it would be obvious to use a cache to reduce processing time etc. However, this fails to address the precise claim limitation and the recited manner in which the cache is to be used. Applicants therefore respectfully (a) traverse the official notice to the extent it entails anything more than the existence of caching, (b) traverse the statement of obviousness as being unsupported in the art of record or the official notice, and (c) traverse the stated conclusion of the rejection, since even if the official notice and assumption of obviousness were correct, they still do not address the actual claim limitations. The rejection of claims 9 and 11 are traversed on the same grounds as claim 8.

With respect to claim 21, which depends indirectly from claim 18, the action states that Wanderski teaches displaying the retrieved data on a computer screen adjacent to the hierarchy as recited. However, the cited section of the reference simply pertains to a generic display screen and says nothing of how various elements are to be displayed.

10

For the reader's convenience, the cited section is as follows: "The bus 14 also connects a display device 24, such as an LCD screen or monitor, to the microprocessor 12 via a display adapter 26." There does not appear to be anything in that teaching that would tell one where one thing on a screen should be placed relative to another. Accordingly, applicants traverse this rejection as well.

Claim 22 recites: "The method of claim 20, further comprising displaying the retrieved data on a computers screen in one pane on a computer screen and displaying the hierarchy on another." The action admits that Wanderski fails to teach this element, but notes that Brozowski teaches the use of a split screen. Therefore, it is alleged in the action, it would have been obvious to combine the references "in order to display a greater amount of information in one window." However, neither reference tells you what you would *put* in the second window—thus the claim remains nonobvious over the cited references, even when combined. Moreover, the cited motivation is empty. Neither reference is concerned with putting as much information as possible in a window, and it is not clear why the action feels that this is something that one of skill in the art would have desired. For the above reasons, the rejection of claim 22 is traversed as well

CONCLUSION

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

Phillip M. Pippenger, Reg. No. 46,055
One of the Attorneys for Applicants
LEYDIG, VOIT & MAYER, LTD.
Two Prudential Plaza, Suite 4900
180 North Stetson
Chicago, Illinois 60601-6780
(312) 616-5600 (telephone)
(312) 616-5700 (facsimile)

Date: June 23, 2004